

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54921 of 2025

Arising Out of PS. Case No.-153 Year-2025 Thana- KUCHAIKOTE District- Gopalganj

Nishant Rai S/o Ajay Rai Resident of Village- Lachhi Khareya, PS- Gopalpur,
Distt.- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Saurabh Kumar, Adv.
For the Opposite Party/s : Mr.Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Kuchaikote P.S. Case No. 153 of 2025 instituted for the
offences under Section 30(a) of the Bihar Prohibition and Excise
Act.

3. As per prosecution case, the police has recovered
total 432 liters of illicit liquor from four motorcycles.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
He further submits that nothing incriminating has been



recovered from the conscious possession of the petitioner. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the local *Chowkidar*. The petitioner has no concern with the seized liquor. The petitioner is neither driver nor owner of the alleged vehicles. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has five criminal antecedents of similar nature of offence and is languishing in judicial custody since 09.06.2025 without any rhymes or reason.

5. Learned counsel for the petitioners again submits that the co-accused namely Amit Kumar has been granted bail by this Court vide order dated 07.07.2025 passed in Cr. Misc. No. 42040 of 2025.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.15,000/- (Fifteen thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Kuchaikote P.S.
Case No. 153 of 2025.

(Rudra Prakash Mishra, J)

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